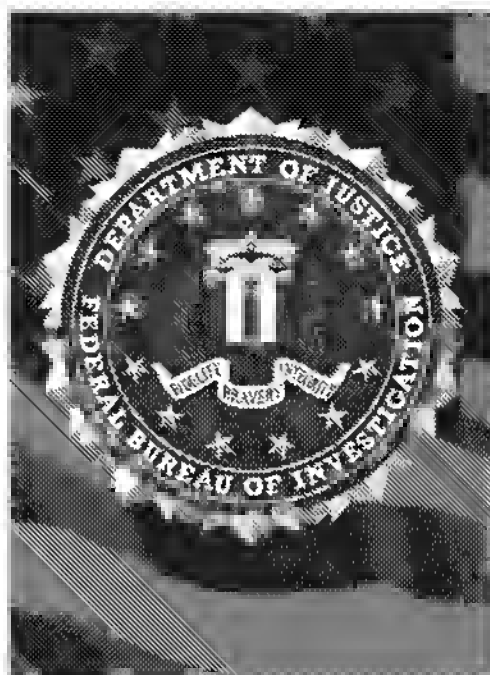


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(U//~~FOUO~~) Less-Than-Lethal Devices Policy Guide

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Policy Guide**



(U) Federal Bureau of Investigation

(U) Training Division

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(U) General Information

Questions or comments pertaining to this policy guide can be directed to:
Federal Bureau of Investigation Headquarters (FBI), Training Division (TD)
Division Point of Contact: Physical Training Unit

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(U) Supersession Information

MIOG Part II, 11-4.5.4 Use of Chemical Agents (Formerly 11-4.5.3).
MIOG, Part II, Section 12-14 - 12-14.2
Section 4.12.1. of the Ground Surveillance Policy Guide, 0516PG

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(U) Table of Contents

1.	(U) Introduction	1
1.1.	(U) Purpose	1
1.2.	(U) Scope.....	1
1.3.	(U) Exemptions	1
1.4.	(U) Status as Internal Guidance	1
2.	(U) Roles and Responsibilities.....	2
2.1.	(U) FBI Employees (FBI Special Agents/FBI Police Officers/Other FBI Employees).....	2
2.2.	(U) Non-FBI Employees (Task Force Officers/Task Force Members/Task Force Participants).....	4
3.	(U) Policy Statement	6
4.	Procedures and Processes.....	7
4.2.	(U) Types of Less-Than-Lethal Devices Used by the FBI.....	7
4.3.	(U) Chemical Agents.....	7
4.4.	(U) Authorization for Professional Support Employees to Carry FBI Issued Oleoresin Capsicum (OC).....	8
4.5.	(U) Oleoresin Capsicum (OC) Procedures.....	8
4.6.	(U) Use, Effects, and Maintenance of Oleoresin Capsicum	9
4.7.	(U) Impact Weapons	9
4.8.	(U) Use of Less-Than-Lethal Devices by Task Force Officers, Task Force Members, and Task Force Participants	10
5.	(U) Summary of Legal Authorities	12
6.	(U) Recordkeeping Requirements	13

(U) List of Appendices

Appendix A: (U) Sources of Additional Information	A-1
Appendix B: (U) Contact Information	B-1
Appendix C: (U) Definitions and Acronyms	C-1

1. (U) Introduction

(U) This policy guide (PG) will establish policy governing less-than-lethal devices carried by FBI special agents, FBI police officers, any other approved FBI employees, task force officers, task force members, and task force participants as defined in Section 2 of this policy guide. [See Appendix D for a definition of less-than-lethal.] This policy is being established in response to the “Department of Justice Policy Statement on the Use of Less-than-Lethal Devices” approved on April 21, 2011. [See Appendix E, F, I of DIOG]

(U//~~FOUO~~) Additionally, the use of any authorized enhanced less-than-lethal device (e.g. chemical agent) referenced in the SWAT or HRT PG, during an operational setting, must be reported as set forth in Section 6 of this PG.

1.1. (U) Purpose

(U) The purpose of the *Less-Than-Lethal Devices Policy Guide* is to:

- (U) Inform FBI special agents, FBI police officers, any other approved FBI employees, task force officers, task force members, and task force participants of circumstances wherein the use of less-than-lethal devices is appropriate and circumstances in which their use is prohibited.
- (U) Communicate who in the FBI, including state and local LEOs participating in FBI joint task force operations and approved non-LEO FBI personnel, may be authorized to use these less-than-lethal devices, and under what conditions, and to identify which devices are approved for use by the FBI.
- (U) Standardize the instructional package used throughout the FBI by establishing uniformity in the areas of instruction, proper and justifiable use, and administrative review of use.

1.2. (U) Scope

(U) FBI special agents (SA), FBI police officers, any other approved FBI employee, task force officers (TFO), task force members (TFM), and task force participants (TFP).

1.3. (U) Exemptions

(U) There are no exemptions to this policy.

1.4. (U) Status as Internal Guidance

(U//~~FOUO~~) This policy guide contains internal FBI guidance for employees and other individuals who are authorized to carry less-than-lethal devices during FBI operations. It may not be relied upon to create any rights, substantive or procedural, enforceable by law by any party in any matter, civil or criminal. This policy guide does not place any limitation on otherwise lawful investigative and litigation prerogatives of the FBI.

2. (U) Roles and Responsibilities

2.1. (U) FBI Employees (FBI Special Agents/FBI Police Officers/Other FBI Employees)

(U) FBI special agents (SA) are federal law enforcement officers. As federal law enforcement officers, FBI SAs have been granted the authorities set forth in the Domestic Investigations and Operations Guide (DIOG) Section 2.4.5. In addition to those authorities, the Attorney General approved a DOJ policy on April 21, 2011 governing the use of less-than-lethal devices, entitled “Department of Justice Policy Statement on the Use of Less-than-Lethal Devices.” [See Appendix F, F.1 of DIOG 2.0] FBI SAs are authorized to carry less-than-lethal devices in accordance with DOJ’s use policy as implemented in this policy guide.

(U) FBI police officers are federal law enforcement officers who are employed by the FBI and protect the FBI’s buildings, property, and grounds. They are authorized to carry less-than-lethal devices in accordance with the “Department of Justice Policy Statement on the Use of Less-than-Lethal Devices” [See Appendix F, F.1 of DIOG 2.0] FBI police officers are authorized to carry less-than-lethal devices in accordance with DOJ’s use policy as implemented in this policy guide.

(U) FBI employees (non-law enforcement personnel) must be authorized specifically to carry any less-than-lethal device in the performance of their duties, as set forth in subsection 4.4 of this policy guide.

(U) FBI special agents are:

- (U) Required to attend all DIOG related training and are bound by all rules, regulations, and policies set forth in the DIOG.
- (U) Authorized to carry a firearm.
- (U) Issued federal law enforcement credentials.
- (U) Required to receive training before being authorized to carry less-than-lethal devices.

(U) FBI police officers are:

- (U) Authorized to carry a firearm.
- (U) Issued federal law enforcement credentials.
- (U) Required to receive training before being authorized to carry less-than-lethal devices.
- (U) Required to report to their supervisor as soon as practicable, but no later than 48 hours after, the use of any less-than-lethal device and report as outlined in Section 6 of this policy guide.

(U) Chief Division Counsel (CDC) are required to consult with the field office ADIC/SAC regarding applicable state law prohibiting or limiting the carrying of chemical agents by non-law enforcement personnel.

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(U//~~FOUO~~) Less-Than-Lethal Devices Policy Guide

(U) Defensive tactics instructors are **authorized to provide** instruction on chemical agents (including exposure), and impact weapons to any approved FBI personnel prior to their authorization to carry these less-than-lethal devices.

(U) Other FBI employees are:

- (U) Required to attend all DIOG related training and are bound by all rules, regulations, and policies set forth in the DIOG.
- (U) Issued federal non-law enforcement credentials.
- (U) Required to receive training before being authorized to carry less-than-lethal devices.
- (U) Required to ~~report to~~ their supervisors as soon as practicable, but no later than 48 hours, the use of any less-than-lethal device and report as outlined in Section 5 of this policy guide.

(U) FBI task force supervisors must:

- (U) Ensure that written documentation has been obtained for each TFO/TFM/TFP who will be carrying less-than-lethal devices and must maintain a copy of that documentation in the task force administrative file.
- (U//~~FOUO~~) Discern whether to prohibit TFOs/TFMs/TFPs from carrying less-than-lethal devices on any FBI led operation where, in the judgment of the FBI task force supervisor, the particular device may pose hazards to the operation participants due to an environmental, tactical, or other relevant factor, despite the presence of written authorization to carry less-than-lethal devices.
- (U) Report as soon as practicable, but no later than 48 hours after, the use of a less-than-lethal device by a TFO/TFP/TFM as outlined in Section 6 of this policy guide.
- (U) ensure the FD-1085 is completed by the ASAC or SSA assigned by the field office within 30 days of the incident in delegated reviews, including those reviews completed by the TFO/TFP/TFM agency.

(U) Field office (ADIC/SAC) must:

- (U) Authorize non-law enforcement employees to carry FBI issued Oleoresin Capsicum (OC) but only after consultation with the CDC (in accordance with DIOG 2, Section 3.5.)
- (U) Prepare an EC giving authorization for non-law enforcement employees to carry the FBI issued OC.
- (U) Ensure the employee has successfully completed a course of instruction on OC that was provided by a certified FBI defensive tactics instructor.
- (U) Ensure any use of a less-than-lethal device by a SA, task force officer, task force member, task force participant, FBI police officer or other approved FBI employee is reported immediately to SIOC and the chief inspector as outlined in Section 6 of this policy guide.

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- (U) Ensure the ASAC or SSA assigned by the field office completes the FD-1085 within 30 days of the incident, in delegated reviews, including those reviews completed by the task force officer, task force member, or task force participant agency.

(U) Training Division (TD), assistant director must:

- (U) Consult with the Office of the General Counsel (OGC) prior to approving any other FBI employees (non-law enforcement) who are not assigned to a field office to carry the FBI issued OC.
- (U) Prepare an EC giving authorization for non-law enforcement employees to carry the FBI issued OC.
- (U) Ensure the employee has successfully completed a course of instruction on OC provided by a certified FBI defensive tactics instructor.

(U) Inspection Division (INSD) must:

- (U) Determine whether to deploy a team to investigate any use of less-than-lethal devices or delegate responsibility to the field office.
- (U) Ensure completion of the FD-1085.
- (U) Maintain data on the use of less-than-lethal devices and prepare an annual report.

2.2. (U) Non-FBI Employees (Task Force Officers/Task Force Members/Task Force Participants)

(U//~~FOUO~~) Although the DOJ policy does not mention federal task force officers specifically, the FBI has determined that the policy should apply to all of its TFOs when they are engaged in FBI operations.

(U//~~FOUO~~) TFM's are not generally law enforcement officers and, therefore, will not normally carry less-than-lethal devices in connection with the performance of their official duties. TFOs are certified federal, state, local or tribal law enforcement officers and will likely be issued less-than-lethal devices by their agencies. TFPs may also be law enforcement officers who carry less-than-lethal devices that have been issued by their agencies.

(U//~~FOUO~~) When participating in FBI led task force operations in the capacity of a task force officer, task force member, or task force participant, an individual may carry less-than-lethal devices that have been issued by the individual's agency only as set forth in Section 3.8 of this policy guide.

(U) Task force officers are:

- (U) Required to attend all DIOG related training and is bound by all rules, regulations, and policies set forth in the DIOG.
- (U) A certified federal, state, local, or tribal law enforcement officer.
- (U) Authorized to carry a firearm.

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- (U) Deputized under either *Title 21* or *Title 18 of the United States Code (U.S.C.)*.
- (U) Issued federal law enforcement credentials.
- (U) Assigned to the supervision of an FBI led task force.
- (U) Required to have a current security clearance recognized by the FBI.
- (U) Required to receive proper training for the use of less-than-lethal devices as required by the task force officer's department.
- (U) Required to report as soon as practicable, but no later than 48 hours to their task force supervisor the use of any less-than-lethal device and report as outlined in Section 6 of this policy guide.

(U) Task force members are:

- (U) Required to attend all DIOG related training and are bound by all rules, regulations, and policies set forth in the DIOG.
- (U) Assigned to the supervision of an FBI led task force.
- (U) Required to have a current security clearance recognized by the FBI.
- (U) Required to receive proper training for the use of less-than-lethal devices as required by the task force member's department.
- (U) Required to report as soon as practicable, but no later than 48 hours, to their task force supervisor the use of any less-than-lethal device and report as outlined in Section 6 of this policy guide.

(U) Task force participants are:

- (U) Authorized to carry a firearm.
- (U) Required to have a current security clearance recognized by the FBI
- (U) Assigned to the supervision of an FBI led task force.
- (U) Required to receive proper training for the use of less-than-lethal devices as required by the participant's department.
- (U) Required to report as soon as practicable, but no later than 48 hours to their task force supervisor the use of any less-than-lethal device as outlined in Section 6 of this policy guide.

3. (U) Policy Statement

(U) FBI Special Agents (SAs), FBI Police Officers, other approved FBI employees (non-law enforcement personnel), Task Force Officers (TFO), Task Force Members (TFM), and Task Force Participants (TFP) are authorized to use less-than-lethal devices only in accordance with the Department of Justice Policy Statement on the Use of Less-than-Lethal Devices. This policy identifies the types of devices (chemical agents and impact weapons) authorized for use. Authorization for non-Agent, non-TFOs and non-FBI police officers to carry FBI-issued OC for self-defense only will be left to the discretion of the Assistant Director-in-Charge (ADIC) / Special Agent-in-Charge (SAC), following consultation with the Chief Division Counsel regarding any applicable state law that may prohibit the carrying of OC by civilians, as both civil and criminal penalties may potentially apply when individuals who are not law enforcement officers carry chemical agents not commercially available to the public.

4. (U) Processes and Procedures

4.1. (U) Background

(U) In May 2009, the DOJ Office of Inspector General (OIG) issued a report detailing the results of its comprehensive review of the use of less-than-lethal weapons by the five DOJ law enforcement components (FBI, Drug Enforcement Agency [DEA], Alcohol, Tobacco, and Firearms [ATF], Bureau of Prisons [BOP] and the United States Marshals Service [USMS]). The OIG conducted the review to determine the types of less-than-lethal weapons used by DOJ's law enforcement components, the extent to which the components are using these weapons, whether training and controls have been implemented to ensure the weapons are used properly, whether DOJ components have identified the impact of using these weapons on their missions, and whether DOJ assesses, deploys, and oversees new and emerging less-than-lethal weapon technologies. The review determined that all of DOJ's law enforcement components authorize at least some of their personnel to use less-than-lethal devices in the performance of their duties. As a result of that review and a subsequent working group, the DOJ Policy Statement on the Use of Less-than-Lethal Devices (hereinafter the DOJ Policy Statement) was approved and became policy in April 2011. The link to a copy of the DOJ Policy Statement can be found in the Legal Authorities Appendix. [See Appendix F, F.1 of DIOG 2.0]

4.2. (U) Types of Less-Than-Lethal Devices Used by the FBI

(U) The FBI authorizes use of two types of less-than-lethal devices by employees: chemical agents and impact weapons.

(U) The FBI's less-than-lethal program manager is responsible for approving all less-than-lethal products for use by FBI personnel.

(U) The FBI authorizes SAs and FBI police officers to use both types of less-than-lethal devices (chemical agents and impact weapons) in furtherance of their law enforcement duties.

(U) The FBI authorizes approved FBI non-law enforcement employees to utilize chemical agents as set forth in subsection 4.4 of this policy guide.

(U) FBI SAs, task force officers, task force members, task force participants, and FBI police officers are permitted to use less-than-lethal devices, including chemical agents and impact weapons, only in accordance with the DOJ Policy Statement. [See Appendix F, F.1 of DIOG 2.0] Pursuant to this policy, FBI SAs, FBI police officers, other approved FBI employees, and TFOs/TFMs/TFPs, are authorized to use only those less-than-lethal devices authorized by their respective agencies and that they have been trained to use, absent exigent circumstances.

4.3. (U) Chemical Agents

(U) The primary chemical agent used by the FBI is an inflammatory agent containing the active ingredient Oleoresin Capsicum (OC). The chemical composition is an essence of cayenne or chili peppers that forms a heavy red liquid suspended in an isopropyl alcohol solution with isobutane as a propellant. FBI SAs, FBI police officers and any other approved FBI personnel are prohibited from using OC products other than those

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authorized and approved by the FBI. The FBI's less-than-lethal program manager is responsible for approving all less-than-lethal products for use by FBI personnel, to include chemical agents.

- (U) SAs and FBI police officers are authorized to use chemical agents only in those situations where the use of such force is justified under the DOJ Policy Statement. [See Appendix F, F.1 of DIOG 2.0]
- (U) SAs and FBI police officers are permitted to use OC as reasonably necessary on animals to protect themselves or another person.
- (U) All incidents involving the use of OC must be reported in accordance with the recordkeeping requirements found in Section 6 of this Guide.

4.4. (U) Authorization for Professional Support Employees to Carry FBI Issued Oleoresin Capsicum (OC)

- (U) Authorization for non-law enforcement personnel to carry FBI-issued OC may only be granted by the assistant director in charge (ADIC) / special agent in charge (SAC) after consultation with the chief division counsel (CDC) (in accordance with DIOG 2, Section 3.5.) regarding any applicable state law that may prohibit the carrying of OC by civilians. Both civil and criminal penalties may potentially apply when individuals who are not law enforcement officers carry chemical agents not commercially available to the public. Professional support employees should be authorized to carry FBI issued OC only where operationally necessary for self-defense purposes due to the nature of their particular job duties. Guidance from the Office of the General Counsel, Civil Litigation Unit regarding the granting of this authorization can be found in the "Legal Authorities" appendix of this guide.
- (U) ADIC/SAC authorization must be documented through electronic communication (EC) to control file [REDACTED]
- (U) Prior to carrying OC, the employee must also successfully complete a course of instruction provided by a certified FBI defensive tactics instructor. This course includes exposure to OC and is the same course SAs must attend.
- (U) Non-law enforcement personnel authorized to carry FBI-issued OC should, after exposing a subject to OC, immediately leave the danger area and follow the guidelines in this policy guide, and then notify local law enforcement of the circumstances surrounding its use. They will then follow the same FBI reporting requirements as SAs and FBI police officers, which are detailed in Section 6 of this guide.

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4.5. (U) Oleoresin Capsicum (OC) Procedures

- (U) Only SAs, FBI police officers, and other authorized personnel who have received written authorization and proper training are authorized to use Oleoresin Capsicum individual protective devices (IPD).
- (U) The transporting of Oleoresin Capsicum individual protective devices is not permitted on commercial aircraft, including in checked baggage per Federal Aviation Administration (FAA) rules and regulations.

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- (U) Only Oleoresin Capsicum individual protective devices approved by the FBI are permitted for official use.

4.6. (U) Use, Effects, and Maintenance of Oleoresin Capsicum

- (U) OC should always be deployed in the same direction of the wind current when possible.
- (U) During deployment of Oleoresin Capsicum, the user should provide an escape route for animals to avoid being bitten.
- (U) After a subject has been exposed to Oleoresin Capsicum and is under control, the subject should be taken to fresh air. When practicable, the subject should be allowed to wash but not rub his/her eyes as this may promote additional irritation.
- (U) Do not bandage the subject's eyes.
- (U) Seek medical attention after exposure to Oleoresin Capsicum if eye inflammation or skin rash persists or the subject requests medical attention.
- (U) When a person is sprayed with Oleoresin Capsicum, do not leave that person unattended. Keep the individual in an upright position until the effects of the Oleoresin Capsicum wear off. Maintain constant verbal contact with the exposed individual. Proper aftercare procedures must be followed. Normal breathing should return two to three minutes after the individual is removed from the affected area. If normal breathing does not resume, ensure that they are in an upright position with the airway open and seek medical attention immediately.
- (U) Oleoresin Capsicum should be stored in a cool dry place. Do not leave the Oleoresin Capsicum individual protective device in a vehicle.
- (U) The Oleoresin Capsicum should be replaced after the expiration date. Expired Oleoresin Capsicum may be used for training or expended outdoors and in the same direction of the wind current when possible. The empty unit should be disposed of properly.
- (U) When an Oleoresin Capsicum individual protective device is first issued, activate the unit by removing the safety tab, shaking the unit, and depressing the activation button or trigger for one-half second to test spray the unit to ensure it is functioning properly.

4.7. (U) Impact Weapons

(U) The impact weapons authorized for use by FBI SAs and FBI police officers are commonly referred to as short impact weapons or batons. Approved batons may range in length, with a maximum length of approximately 27 inches. Batons of greater length than 27 inches are designed for special circumstances, such as riot control, and require specialized training that is not provided to SA and FBI police officer personnel. Approved batons may be collapsible and expandable to provide for ease of concealment. Approved batons may be constructed of various materials, to include metal, aluminum, plastic, and wood. The 21 inch expandable steel baton issued to SA personnel during the Basic Field Training Course (BFTC) is an example of an authorized short impact weapon. Although the currently issued baton is manufactured by Armament Systems and

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(U//~~FOUO~~) Less-Than-Lethal Devices Policy Guide

Procedures (ASP), Inc., SAs and FBI police officers are not limited to batons manufactured by ASP or any other manufacturer as long as the batons meet the specifications set forth in this paragraph.

- (U) FBI SAs and FBI police officers are authorized to use short impact weapons and batons only in those situations where the use of such force is justified under the DOJ policy statement. [See Appendix E, F.1 of DIOG 2.0]
- (U) Only those SAs and FBI police officers who have received the required short impact weapon and baton training are authorized to carry or use the device.
- (U) The required short impact weapon and baton training for SAs must be provided by a certified FBI defensive tactics instructor. The short impact weapon and baton training received by SAs during the defensive tactics portion of the BFTC qualifies them to carry and/or use the short impact weapon or baton upon graduation from the FBI Academy BFTC.
- (U) The required short impact weapon and baton training for FBI police officers is determined by the unit chief for the FBI Police. The short impact weapon and baton training received by FBI police officers during their basic training at the Federal Law Enforcement Training Center (FLETC) qualifies them to carry or use the short impact weapon or baton upon graduation from the FLETC program.
- (U) The FBI does not authorize the issuance of impact weapons to non-law enforcement personnel.
- (U) All incidents involving the use of a short impact weapon or baton must be reported in accordance with the recordkeeping requirements found in Section 6 of this guide.
- (U) If the use of a short impact weapon or baton results in injury to a subject, necessary medical assistance must be made available to the subject as soon as practicable.

4.8. (U) Use of Less-Than-Lethal Devices by Task Force Officers, Task Force Members, and Task Force Participants

(U//~~FOUO~~) When participating in joint task force operations in the capacity of an FBI task force officer, task force member, or task force participant, an individual may carry less-than-lethal devices that have been issued by his/her agency only if:

(U//~~FOUO~~) The individual is a federal, state, local, or tribal law enforcement officer.

(U//~~FOUO~~) The individual's law enforcement agency has advised the FBI in writing (preferably as part of the memorandum of understanding [MOU] between the FBI and the agency regarding the individual's task force participation) that:

- (U//~~FOUO~~) The agency will ensure that while the individual is participating in FBI-led task force operations in the capacity of a task force officer, task force member, or task force participant, the individual will carry only less-than-lethal devices that it has issued to the individual and that the individual has been trained in accordance with the agency's policies and procedures.

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- (U//~~FOUO~~) The agency's policies and procedures for use of any less-than-lethal device that will be carried by the task force officer, task force member, or task force participant are consistent with the DOJ policy statement on the Use of Less-Than-Lethal Devices.

(U//~~FOUO~~) The FBI task force supervisor must ensure that written documentation is obtained for each task force officer, task force member, or task force participant who carries less-than-lethal devices and must maintain a copy of that documentation in the task force administrative file until five-years-old or five years after completion in accordance with Records Management Division policy as outlined in an EC dated 09/16/2010, [REDACTED].

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(U//~~FOUO~~) Notwithstanding any written authorization to carry less-than-lethal devices that may exist, the FBI task force supervisor retains the discretion to prohibit task force officers, task force members, or task force participants from carrying particular less-than-lethal devices on any FBI-led operation where, in the judgment of the FBI task force supervisor, the particular device may pose hazards or risks to the operation participants due to environmental, tactical, or other relevant factors.

5. (U) Summary of Legal Authorities

(U) On April 21, 2011, the Attorney General approved a DOJ policy governing the use of less-than-lethal devices, entitled “Department of Justice Policy Statement on the Use of Less-than-Lethal Devices.” [See Appendix F, F.1 of DIOG 2.0] The DOJ policy authorizes the use of less-than-lethal devices only in those situations “where reasonable force, based on the totality of the circumstances at the time of the incident, is necessary to effectuate an arrest, obtain lawful compliance from a subject, or protect any person from physical harm.” This standard is also consistent with DIOG Section 19.5.2 which permits agents to use “the amount of physical force reasonable and necessary to take custody and overcome all resistance of the arrestee, and to ensure the safety of the arresting agents, the arrestee and others in the vicinity of the arrest.” Use of a less-than-lethal device must cease when it is no longer necessary to achieve the law enforcement objective.

(U) Under these policies, less-than-lethal devices may be reasonably used during arrests and also non-arrest situations, such as investigative detentions, executions of search warrants, and other law enforcement activities. The DOJ policy statement permits DOJ law enforcement officers to use those less-than-lethal devices authorized by their respective agencies and that they are trained to use, absent exigent circumstances.

(U) In addition, the DOJ policy statement requires component agencies to ensure that task force officers are aware of, and adhere to, DOJ policy. In accordance with DOJ policy, FBI task force officers, which for purposes of the FBI policy includes task force members or task force participants, may use only those less-than-lethal devices authorized by their respective departments and that they have been trained to use, absent exigent circumstances, as set forth in Section 4.5 of this policy guide.

6. (U) Recordkeeping Requirements

(U) This section addresses the specific reporting, investigating, documentation, and annual reviewing requirements for the use of less-than-lethal device incidents.

(U) Reporting an Incident

(U) Any use of a less-than-lethal device by an SA, a task force officer, a task force member, a task force participant, an FBI police officer, or other approved FBI employee must be reported as soon as practicable, but within 48 hours to SIOC and the chief inspector, INSD (Inspection Division). The INSD must determine whether to deploy an investigative team or delegate investigation to the field office.

(U) For the purposes of this reporting requirement, “use” of any less-than-lethal device is intended to be the actual deployment and utilization of the device (i.e., striking a person or animal with the expandable baton or spraying the chemical agent from the canister at a person or animal). Merely displaying any device with the intention to use it, but ultimately failing to utilize it in the manner intended, would not constitute a reportable event.

(U) Review of the Incident

(U) In cases where INSD delegates authority, the SAC must designate an ASAC or SSA to complete and submit an FD-1085 within 30 days. If a task force officer, task force member, or task force participant utilizes a less-than-lethal device while participating in an FBI joint task force operation, the investigative review must be delegated to the task force officer, task force member, or task force participant agency.

(U) Documenting the Incident

(U) All uses of less-than-lethal devices must be documented utilizing the “Less Than Lethal Device/Shooting Incident Report” (FD-1085). INSD will complete the FD-1085 in all cases where INSD investigates the incident. In delegated reviews, including those reviews completed by the task force officer, task force member, or task force participant agency, the FD-1085 must be completed by the ASAC or SSA assigned from the field office within 30 days of the incident.

(U) Annual Review of Incidents

(U) All uses of less-than-lethal devices must be reviewed at least annually by a review board consisting of INSD, DOJ, Office of General Counsel, Training Division/Physical Training Unit, and Criminal Investigative Division. The board must review all incidents of less-than-lethal devices and determine whether the use of the device was appropriate and in accordance with established policy. INSD must prepare an annual report on the use of less-than-lethal devices.

Appendix A: (U) Sources of Additional Information

- (U) FD-1085
- (U//~~FOUO~~) EC case ID number dated 10/04/2011
OGC/Civil Litigation Unit re: Non-Agent Personnel Carrying Chemical Agents.
- (U) Department of Justice (DOJ) Policy Statement on the Use of Less-than-Lethal Devices, April 2011. (See DIOG Appendix F1)
- (U) Domestic Investigations and Operations Guide, 0667DPG
- (U) Special Weapons and Tactics Policy Guide, 0444PG
- (U) Form FD-885, "Law Enforcement Operations Order"
- (U) FBI's Guiding Principles, Touchstone Document on Training

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Appendix B: (U) Contact Information

Physical Training Unit/Training Division	<div></div>
Address	FBI Academy, Quantico, VA

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Appendix C : (U) Definitions and Acronyms

(U) Definitions

(U) **Deadly force**: force that is likely to cause death or serious bodily injury.

(U) **Necessary**: alternative steps are not likely to lead to the safe control of the subject.

(U) **Oleoresin Capsicum**: defined as an inflammatory agent and is considered a less-than-lethal weapon system whose active ingredient is OC.

(U) **Chemical agent**: an inflammatory agent with the active ingredient being oleoresin capsicum. The chemical composition is an essence of cayenne or chili peppers that forms a heavy red liquid suspended in an isopropyl alcohol solution with isobutane as a propellant.

(U) **Impact weapon**: striking implement designed for use as a less-than-lethal device.

(U) Acronyms

ADIC	Assistant Director-in-Charge
ASAC	Assistant Special Agent in Charge
ASP	Armament Systems and Procedures
ATF	Alcohol, Tobacco and Firearms
BOP	Bureau of Prisons
CDC	Chief Division Counsel
CID	Criminal Investigative Division
DIOG	Domestic Investigations and Operations Guide
DOJ	Department of Justice
DEA	Drug Enforcement Agency
EC	Electronic Communication
FAA	Federal Aviation Administration
FBI	Federal Bureau of Investigation
FLETC	Federal Law Enforcement Training Center
HRT	Hostage Rescue Team

UNCLASSIFIED//~~FOUO~~
(U//~~FOUO~~) Less-Than-Lethal Devices Policy Guide

INSD	Inspection Division
IPD	Individual Protective Device
MIOG	Manual of Investigative Operations and Guidelines
MOU	Memorandum of Understanding
NATP	New Agent Training Program
OC	Oleoresin Capsicum
OGC	Office of the General Counsel
OIG	Office of Inspector General
PG	Policy Guide
SA	Special Agent
SIOC	Strategic Information and Operations Center
SSA	Supervisory Special Agent
SAC	Special Agent-in-Charge
SWAT	Special Weapons and Tactics
TFO	Task Force Officer
TFM	Task Force Member
TFP	Task Force Participant
TD	Training Division
USC	United States Code
USMS	United States Marshals Service